

payable to the State of North Carolina, for the faithful execution of the work according to specification, one item of which shall be, that there shall not exist on any part of said Road, a greater rise than one foot in eight, and on failure of any contractor to execute his work according to the terms specified in the contract, then it shall be the duty of said Commissioner to commence suit on the bond, and prosecute the same to judgment and execution, and the money thus collected, shall be applied to the improvement of said Road.

IV. *Be it further enacted*, That for the purpose of improving said Road, a sum not exceeding two thousand dollars be, and the same is hereby appropriated, payable in bonds accruing from the sale of the Cherokee Lands, and the Governor is hereby authorised to draw his warrant or warrants on the Public Treasurer in favor of the Commissioner, for such portion of this appropriation as to him may seem necessary and proper. \$2,000 appropriated.

V. *Be it further enacted*, That said Commissioner, before entering upon the duties of his commission, shall execute to the State of North Carolina a bond with approved security, conditioned for the faithful application of the funds placed in his hands for the improvement of the Road, and on the completion thereof, shall report to the Governor of the State the character of the improvement and vouchers for the expenditure of all sums disbursed by him. Commissioner to give bond.

VI. *And be it further enacted*, That said Commissioner shall have said Road completed by the fifteenth day of July, one thousand eight hundred and thirty-nine, and on the completion of the Road, shall carefully examine the same, receive it, if done according to contract, and thereupon report to the Governor as by the foregoing section. Road when to be completed.

[Ratified 4th January, 1839.]